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**From:** Eric Schaffer  
**Sent:** Tuesday, March 7, 2023 11:15 AM CST  
**To:** Rukavina, Davor  
**Subject:** RE: Goodman/Prosperity

No surprises in the Complaint. If litigation proceeds, I would expect to intervene to assert additional claims against the bank. Among other things, the deposit account control agreement contains an express subordination by the bank. I don't think UMB would assert any claims with regard to the \$513,742.92. I would hope to resolve cash collateral issues on an agreed basis.

I still would like to know what she has/wants with regard to discovery. I don't want to give her any excuses.

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**From:** Eric Schaffer <eschaffer@stonecipherlaw.com>  
**Sent:** Tuesday, March 7, 2023 11:56 AM  
**To:** Rukavina, Davor <drukavina@munsch.com>  
**Subject:** FW: Goodman/Prosperity

There is more delay than I expected, based on initial communications with Victoria, but we have her attention. I left word yesterday that you were ready to file a complaint. She sent me an email earlier today with same message as below. You sent her the complaint, so she knows it's real. Putting aside the bank's lack of stated defense, she indicates that we will hear back tomorrow and I don't see a problem giving her one more day.

What transcripts did she request? I assume she asked for James and perhaps John. Does she have whatever she requested?

I will look at the draft complaint and share thoughts, if any. Let me know if you want to talk.

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**From:** Rukavina, Davor <drukavina@munsch.com>  
**Sent:** Tuesday, March 7, 2023 10:51 AM  
**To:** Eric Schaffer <eschaffer@stonecipherlaw.com>  
**Subject:** [EXT] FW: Goodman/Prosperity

What do you think? I smell stalling. I'm inclined to advise Scott to just file the complaint.

**Davor Rukavina, Esq.**

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**From:** Argeroplos, Victoria <[vargeroplos@jw.com](mailto:vargeroplos@jw.com)>  
**Sent:** Tuesday, March 7, 2023 9:50 AM  
**To:** Rukavina, Davor <[drukavina@munsch.com](mailto:drukavina@munsch.com)>  
**Cc:** Eric Schaffer <[eschaffer@stonecipherlaw.com](mailto:eschaffer@stonecipherlaw.com)>; Funk, Brenda <[bfunk@munsch.com](mailto:bfunk@munsch.com)>  
**Subject:** RE: Goodman/Prosperity

**External Email: Use caution with links and attachments.**

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I asked you for the deposition transcripts. Not a lot.

**Victoria Argeroplos**

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V: (713) 752-4334 | F: (713) 308-4134 | [vargeroplos@jw.com](mailto:vargeroplos@jw.com)



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**From:** Rukavina, Davor <[drukavina@munsch.com](mailto:drukavina@munsch.com)>  
**Sent:** Tuesday, March 7, 2023 9:47 AM  
**To:** Argeroplos, Victoria <[vargeroplos@jw.com](mailto:vargeroplos@jw.com)>  
**Cc:** Eric Schaffer <[eschaffer@stonecipherlaw.com](mailto:eschaffer@stonecipherlaw.com)>; Funk, Brenda <[bfunk@munsch.com](mailto:bfunk@munsch.com)>  
**Subject:** RE: Goodman/Prosperity

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Victoria, what information do you need? I know you requested a lot of the information from the discovery that was taken but at the end of the day it is very simple: was there or was there not consideration for the assignment.

**Davor Rukavina, Esq.**

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**From:** Argeroplos, Victoria <[vargeroplos@jw.com](mailto:vargeroplos@jw.com)>  
**Sent:** Tuesday, March 7, 2023 9:45 AM  
**To:** Rukavina, Davor <[drukavina@munsch.com](mailto:drukavina@munsch.com)>  
**Cc:** Eric Schaffer <[eschaffer@stonecipherlaw.com](mailto:eschaffer@stonecipherlaw.com)>; Funk, Brenda <[bfunk@munsch.com](mailto:bfunk@munsch.com)>  
**Subject:** RE: Goodman/Prosperity

**External Email: Use caution with links and attachments.**

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Hi Davor,

I've been in touch with Eric about this and am doing everything I can to push this along. No need to file the complaint or threaten a refusal to settle. I've not received any of the information I requested from you, either.

I've got a call scheduled with the Bank tomorrow. Decisionmakers have been out of town and they need to comply with their internal process. Surely you understand that. The Bank knows I expect them to give me a clear instruction when we talk tomorrow morning. I anticipate that I will be following up with a draft 9019.

**Victoria Argeroplos**

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**From:** Rukavina, Davor <[drukavina@munsch.com](mailto:drukavina@munsch.com)>

**Sent:** Tuesday, March 7, 2023 9:39 AM

**To:** Argeroplos, Victoria <[vargeroplos@jw.com](mailto:vargeroplos@jw.com)>

**Cc:** Eric Schaffer <[eschaffer@stonecipherlaw.com](mailto:eschaffer@stonecipherlaw.com)>; Funk, Brenda <[bfunk@munsch.com](mailto:bfunk@munsch.com)>

**Subject:** Goodman/Prosperity

**\*\*RECEIVED FROM EXTERNAL SENDER – USE CAUTION\*\***

Victoria:

We have not heard anything from Prosperity. Therefore, we will be filing the attached tonight. Please let us know right away if Prosperity is prepared to accept the Trustee's settlement offer or if it believes it has any principled defense to the Trustee's claims. We have not heard of one and are not aware of one. Please understand that, if the Trustee is forced to file the attached, the settlement offer is off the table.

Thank you

**Davor Rukavina, Esq.**

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